

Appln: No. 09/557,418  
Amendment Dated April 30, 2004  
Reply to Office Action of October 31, 2003

FJC-102US>



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 09/557,418  
Applicants: Bernard Trevor Matthews et al.  
Filed: April 21, 2000  
Title: A NOVEL COOKED SAUSAGE AND A METHOD  
FOR MAKING THE SAME  
TC/A.U.: 1761  
Examiner: Arthur L. Corbin  
Confirmation No.: 6763  
Docket No.: FJC-102US

**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action dated October 31, 2003, please amend the above-identified application as follows:

- ☒ **Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.
- ☒ **Remarks/Arguments** begin on page 8 of this paper.

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03 FC:1202	36.00 OP

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loss of Sample No. 1 is an undesirable 10%. The average pH level of the mixture of Sample No. 2 is 5.61, which is slightly greater than the lower pH limit of 5.5 discovered by Applicants. In stark contrast to Sample No. 1, however, the cook loss of Sample No. 2 is a surprisingly more desirable 1.42%. In other words, cook loss is significantly reduced when the pH of the mixture is 5.5 or more (in this case, 5.61) as opposed to a pH just below that value (in this case 5.29).

The drastic reduction in cook loss demonstrated by these tests results was surprising. More specifically, it was unexpected that the relatively small range of pH values for the mixture just above and below 5.5 would result in such large differences in cook loss. These parameters demonstrate the benefits achieved as a result of Applicants' claimed feature of a mixture having a pH of about 5.5 or more.

Accordingly, for the foregoing reasons, it is respectfully submitted that rejected independent claims 1, 11, 24, and 32 are patentable over the art of record. Furthermore, claims 2 - 5, 7, 10, 12 - 23, 26, 28, 31, and 34 - 47 include all the features of the independent claims from which they depend. Thus, claims 2 - 5, 7, 10, 12 - 23, 26, 28, 31, and 34 - 47 are also patentable over the art of record for the reasons set forth above.

**Conclusion**

In view of the remarks and points of distinction set forth above, it is respectfully submitted that the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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JLC/EEF/dhm

Enclosures: Test Data  
Photograph

Dated: April 30, 2004

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